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May 19, 2025

FILED VIA CM/ECF

The Honorable John P. Cronan
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007-1312

Re: *Doe v. Deloitte LLP Group Insurance Plan*; Case No. 1:23-cv-04743-JPC;
Defendant's Notice of Consent to Plaintiff's Administrative Appeal to Claim Determination
on Remand

Dear Judge Cronan:

We are counsel to the Deloitte LLP Group Insurance Plan, Defendant in the above-referenced matter. We write to the Court as directed by your May 14, 2025 Minute Order in the above-captioned matter.

The purpose of this letter is to advise the Court that, without waiving its position that neither the Plan terms nor any applicable ERISA regulation specifically provide for, allow, or permit Plaintiff to do so, or otherwise making any admission with respect thereto, Defendant consents to Plaintiff's submission of an administrative appeal to the claim determination on remand issued by Aetna on May 1, 2025 in connection with Plaintiff's second-level appeal of its denial of Plaintiff's claim for benefits relating to A.D.'s treatment at Sandhill.

After conferring with Plaintiff's counsel, the Plan, with consent of Plaintiff, proposes that the Court order that any administrative appeal to the May 1, 2025 claim determination on remand be submitted by Plaintiff within ninety (90) days of the Court's entry of an Order with respect to this matter, and that Aetna's response to that appeal be provided within ninety (90) days of its receipt of an administrative appeal from Plaintiff. The parties agree and stipulate that the schedule established by the Court's Order shall control regardless of any other provisions in the Plan or in any ERISA regulation relating to the timing for submission of an appeal of a denied claim or for response to any such appeal.

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The parties further respectfully request that the Court's Order clarify that any administrative appeal submitted by Plaintiff as provided herein shall be directed to Defendant's counsel, who will be responsible for transmitting the appeal to Aetna, and that Aetna's response to any appeal submitted by Plaintiff be directed to counsel for Plaintiff. The parties also suggest that the Court in its Order set a teleconference for shortly after the deadline for Aetna's response to any appeal submitted by Plaintiff as provided herein so that the Court and the parties may at that time address the appropriate next steps in this matter.

Respectfully submitted,

SQUIRE PATTON BOGGS (US) LLP



Daniel B. Pasternak